

Legislative Counsel

030716
3 July 1956

Comptroller

U.S. Code Citations in S. 3851 and HR 10682

1. From the review of reference bills to amend the Central Intelligence Act of 1949, as amended, it appears that some of the U.S. Code citations are incorrect, and that one citation is incomplete.

2. The citations appear in both bills; however, the following page and line references apply to those in S. 3851:

<u>Page</u>	<u>Line</u>	<u>Citation in Bill</u>	<u>Correct Citation</u>
1	5	50 U.S.C. 403a	50 U.S.C. 403c
2	2	62 Stat. 21, 41 U.S.C. 151	62 Stat. 21, 23, 24, 25 41 U.S.C. 151, 154, 155, 156, 159
6	11 and 12	5 U.S.C. 2061	5 U.S.C. 2062
6	19	5 U.S.C. 2061	5 U.S.C. 2062

3. It is suggested that the Code references be verified and that the House and Senate Committees on Armed Services be advised of any corrections to be made in the bills.

E. R. SANDGERS

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O & 1 - Addressee

✓ 1 - Signer

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STATINT

84TH CONGRESS
2D SESSION

H. R. 10682

☐ It contains nothing of CIA
30 APR 1961 Reviewer []

IN THE HOUSE OF REPRESENTATIVES

APRIL 19, 1956

Mr. VINSON introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend the Central Intelligence Agency Act of 1949, as amended, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 SECTION 1. Section 3 of the Act entitled the Central
4 Intelligence Agency Act of 1949," approved June 20, 1949,
5 as amended (63 Stat. 208, 50 U. S. C. 403a) (herein-
6 after referred to as "such Act"), is amended to read as
7 follows:

8 "(a) In the performance of its function, the Central
9 Intelligence Agency is authorized to exercise the author-
10 ities contained in sections 2 (c), 5, 6, 7, and 10 of the
11 Armed Services Procurement Act of 1947, approved Feb-

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2 62 Stat. 21, 41 U. S. C. 151.
3 155,
4 156,
5 157.

1 ruary 19, 1948, as amended (62 Stat. 21, 41 U. S. C.
2 151).

3 “(b) Contracts of the Agency for services and use of
4 facilities for research or development may be for a term
5 not to exceed five years, and may be extended for an addi-
6 tional period not to exceed five years, subject to the avail-
7 ability of appropriations therefor.

8 “(c) For purposes of this section, the term ‘agency
9 head’ shall mean the Director and Deputy Director of Cen-
10 tral Intelligence and the Deputy Directors of the Agency.”

11 SEC. 2. Section 5 of such Act is amended to read as
12 follows:

13 “SEC. 5. (a) Under such regulations as the Director may
14 prescribe, the Agency, with respect to its officers and em-
15 ployees assigned abroad, may—

16 “(1) pay the travel expenses of officers and em-
17 ployees of the Agency including expenses incurred while
18 traveling pursuant to orders issued by the Director in
19 accordance with the provisions of section 5 (c) with
20 regard to the granting of home leave;

21 “(2) pay the travel expenses of members of the
22 family of an officer or employee of the Agency when
23 proceeding to or returning from his post of duty; ac-
24 companying him on authorized home leave; or other-
25 wise traveling in accordance with authority granted pur-
26 suant to the terms of this or any other Act;

1 “(3) pay the cost of transporting the furniture and
2 household and personal effects of an officer or employee
3 of the Agency to his successive posts of duty and, on
4 the termination of his services, to his residence at time
5 of appointment or to a point not more distant, or, upon
6 retirement, to the place where he will reside;

7 “(4) notwithstanding the provisions of any other
8 law, transport for or on behalf of an officer or employee
9 of the Agency, a privately owned automobile in any
10 case where it shall be determined that water, rail, or air
11 transportation of the automobile is necessary or expedi-
12 ent for any part or of all the distance between points of
13 origin and destination, and pay the costs of such trans-
14 portation;

15 “(5) pay the cost of storing the furniture and house-
16 hold and personal effects of an officer or employee of the
17 Agency who is absent under orders from his usual post
18 of duty; or who is assigned to a post to which he cannot
19 take or at which he is unable to use his furniture and
20 household and personal effects; or when such storage
21 would avoid the cost of transporting such effects from
22 one location to another;

23 “(6) pay the cost of storing the furniture and house-
24 hold and personal effects of an officer or employee of
25 the Agency on first arrival at a post for a period not in

1 excess of three months after such first arrival at such
2 port or until the establishment of residence quarters,
3 whichever shall be shorter;

4 “(7) pay the travel expenses and transportation
5 costs incident to the removal of the members of the
6 family of an officer or employee of the Agency and his
7 furniture and household and personal effects, including
8 automobiles, from a post at which, because of the prev-
9 alence of disturbed conditions, there is imminent danger
10 to life and property, and the return of such persons, fur-
11 niture, and effects to such post upon the cessation of such
12 conditions; or to such other post as may in the mean-
13 time have become the post to which such officer or
14 employee has been assigned;

15 “(8) pay the travel expenses incurred by an officer
16 or employee of the Agency in transporting dependents
17 to and from United States ports of entry designated by
18 the Agency, to obtain an American secondary or col-
19 lege education, not to exceed one trip each way for
20 each dependent for the purpose of obtaining each type
21 of education;

22 “(9) pay the costs of preparing and transporting
23 the remains of an officer or employee of the Agency
24 or a member of his family who may die while in travel
25 status or abroad, to his home or official station, or to

1 such other place as the Director may determine to be
2 the appropriate place of interment: *Provided*, That, in
3 no case shall the expense payable be greater than the
4 amount which would have been payable had the destina-
5 tion been the home or official station.

6 “(b) The Agency may charge expenses in connection
7 with travel of personnel, their dependents, and transportation
8 of their household goods, personal effects, and automobiles to
9 the appropriation for the fiscal year current when any part of
10 either the travel or transportation begins pursuant to pre-
11 viously issued travel orders, notwithstanding the fact that
12 such travel or transportation may not all be effected during
13 such fiscal year, or the travel orders may have been issued
14 during the prior fiscal year.

15 “(c) (1) Under such regulations as the Director may
16 prescribe, the Agency may order to the continental United
17 States or its Territories and possessions on leave of absence
18 as provided by law, every officer and employee of the
19 Agency, upon completion of two years continuous service
20 abroad, or as soon as possible thereafter.

21 “(2) While in the continental United States on leave,
22 the service of any officer or employee shall not be available
23 for work or duties except in the Agency or for training or

1 for reorientation for work; and the time of such work or
2 duty shall not be counted as leave.

3 “(3) Where an officer or employee on leave returns to
4 the United States or its Territories and possessions, leave of
5 absence granted shall be exclusive of the time actually and
6 necessarily occupied in going to and from the United States
7 or its Territories and possessions, and such time as may be
8 necessarily occupied in awaiting transportation.

9 “(4) The provisions of section 203 (f) of the Act of
10 October 30, 1951, as amended (65 Stat. 679, 5 U. S. C.
11 ²⁰⁶² (2061)), and as it may hereafter be amended, shall be ap-
12 plicable to officers and employees of the Agency, and such
13 officers and employees shall be subject to the limitations as
14 to the accumulation of leave applicable to officers and em-
15 ployees in the Foreign Service of the United States under
16 the Department of State as provided in sections 203 (c)
17 and (d) of the Act of October 30, 1951, as amended (65
18 Stat. 679, 5 U. S. C. ²⁰⁶² (2061)), and as it may hereafter be
19 amended.

20 “(d) (1) In the event of illness, injury or maternity
21 incurred while on assignment abroad, by an officer or full-
22 time employee of the Agency or by a member of the family
23 accompanying such officer or employee, not the result of
24 vicious habits, intemperance, or misconduct on the part of
25 such persons, in a locality where there does not exist a suit-

1 able medical facility, the Agency may, under such regula-
2 tions as the Director may prescribe, pay the travel expenses
3 of such officer or employee, or member of his family, by
4 whatever means are considered appropriate without regard
5 to the Standardized Government Travel Regulations and
6 section 10 of the Act of March 3, 1933, as amended (47
7 Stat. 1516; 5 U. S. C. 73b^{OK: P-11-}), to the nearest locality where
8 a suitable medical facility exists and on the recovery of
9 such individual pay for the travel expenses of return to
10 the post of duty of such officer or employee, or member of
11 his family. If such officer or employee, or member of his
12 family, is too ill to travel unattended, the Agency may also
13 pay the compensation and round-trip travel expenses of an
14 attendant or attendants.

15 “(2) (A) The Director may, in the event of illness or
16 injury requiring hospitalization of an officer or employee of
17 the Agency, not the result of vicious habits, intemperance,
18 or misconduct on his part, incurred in the line of duty while
19 such person is assigned abroad, pay for the cost of the treat-
20 ment of such illness or injury at a suitable hospital or clinic.

21 “(B) In the event a dependent of an officer or employee
22 of the Agency who is stationed abroad, incurs an illness or
23 injury while located abroad, which requires hospitalization
24 and which is not the result of vicious habits, intemperance,
25 or misconduct, the Agency may, in accordance with such

1 regulations as the Director may prescribe, pay for that por-
2 tion of the costs of treatment of each such illness or injury
3 at a suitable hospital or clinic that exceeds \$35 up to a maxi-
4 mum limitation of one hundred and twenty days of hospitali-
5 zation for each such illness or injury, except that such
6 maximum limitation shall not apply whenever the Director,
7 on the basis of professional medical advice, shall determine
8 that such illness or injury clearly is caused by the fact that
9 such dependent is or has been located abroad.

10 “(3) The Director may establish a first aid station and
11 provide for the services of a physician, a nurse, or other
12 medical personnel at a post at which, in his opinion, sufficient
13 personnel are employed to warrant such a station.

14 “(4) The Director may provide for the periodic
15 physical examination of officers and employees of the Agency
16 and their dependents and for the cost of administering in-
17 oculations or vaccinations to such officers or employees and
18 their dependents.

19 “(c) In accordance with such regulations as the Direc-
20 tor may prescribe, the Agency may pay the costs of travel
21 of new appointees and their dependents, and the transpor-
22 tation of their household goods and personal effects, from
23 places of actual residence in foreign countries at time of
24 appointment to places of employment and return to their
25 actual residences at the time of appointment or a point not

1 more distant: *Provided*, That such appointees agree in
2 writing to remain with the United States Government for
3 a period of not less than twelve months from the time of
4 appointment. Violation of such agreement for personal
5 convenience of an employee or because of separation for
6 misconduct will bar such return payments and, if determined
7 by the Director or his designee to be in the best interests
8 of the United States, any money expended by the United
9 States on account of such travel and transportation shall be
10 considered as a debt due by the individual concerned to
11 the United States.

12 “(f) In accordance with such regulations as the Presi-
13 dent may prescribe and notwithstanding the provisions of
14 section 1765 of the Revised Statutes (5 U. S. C. 70), the
15 Director is authorized to grant to any officer or employee
16 of the Agency—

17 “(1) allowances, whenever Government-owned or
18 rented quarters are not available at a post abroad, for
19 living quarters, heat, light, water, fuel, gas, and elec-
20 tricity, including allowances for the cost of lodging at
21 temporary quarters, incurred by an officer or employee
22 of the Agency and the members of his family upon first
23 arrival at a new post, for a period not in excess of three
24 months after such first arrival or until the occupation
25 of residence quarters, whichever period shall be shorter,

1 up to but not in excess of the aggregate amount of the
2 per diem that would be allowable to such officer or
3 employee for himself and the members of his family
4 for such period if they were in travel status:

5 “(2) cost-of-living allowances whenever—

6 “(A) the cost of living at a post abroad is
7 proportionately so high that an allowance is neces-
8 sary to enable an officer or employee of the Agency
9 at such post to carry on his work efficiently;

10 “(B) extraordinary and necessary expenses not
11 otherwise compensated for are incurred by an officer
12 or employee of the Agency incident to the estab-
13 lishment of his residence at any post of assignment
14 abroad or at a post of assignment in the continental
15 United States between assignments to posts abroad;

16 “(C) an allowance is necessary to assist an
17 officer or employee of the Agency who is com-
18 pelled by reasons of dangerous, notably unhealth-
19 ful, or excessively adverse living conditions at his
20 post abroad or for the convenience of the Govern-
21 ment to meet the additional expense of maintaining
22 his wife and minor children elsewhere than at the
23 post of his assignment;

24 “(D) extraordinary and necessary expenses,
25 not otherwise compensated for, must be incurred

1 by an officer or employee of the Agency, by reason
2 of his service abroad, in providing for adequate
3 elementary and secondary education of his
4 dependents; allowances under this subparagraph
5 for any post shall not exceed the cost of obtaining
6 such educational services as are ordinarily provided
7 without charge by the public schools of the United
8 States plus, in those cases where adequate schools
9 are not available at the post, board and room, and
10 periodic transportation between the post and the
11 nearest locality where adequate schools are avail-
12 able; if any such officer or employee employs a less
13 expensive method of providing such education, any
14 allowance paid to him shall be reduced accord-
15 ingly; no allowance shall be paid under this
16 subparagraph for a dependent for whom a travel
17 allowance has been paid under subsection 5 (a)
18 (8) :

19 “(3) a foreign post differential or a territorial post
20 differential on the basis of conditions of environment
21 which differ substantially from conditions of environ-
22 ment in the continental United States and warrant ad-
23 ditional compensation as a recruitment and retention
24 incentive. Additional compensation paid as a foreign
25 post differential or territorial post differential shall not

1 in any instance exceed 25 per centum of the rate of
2 basic compensation.

3 “(g) Amounts received as allowances pursuant to the
4 provisions of section 5 (f) (1) and (2) of this Act shall
5 not be included in gross income, and shall be exempt from
6 taxation under the Internal Revenue Code of 1954, as
7 amended, and as it may hereafter be amended.”

8 SEC. 3. Section 6 (f) (1) of such Act is amended by
9 striking out “fifteen” and inserting in lieu thereof the fol-
10 lowing: “thirty-five”.

11 SEC. 4. Section 6 of such Act is amended by the in-
12 sertion of a semicolon in lieu of the period at the end of
13 subsection (f) and by the addition of a new subsection
14 (g) which shall read as follows:

15 “(g) Make payments without regard to section 3648
16 of the Revised Statutes (31 U. S. C. 529), when made—

17 “(1) in compliance with the laws of foreign coun-
18 tries or their ministerial regulations, and

19 “(2) for rent in foreign countries for such period
20 as may be necessary to accord with local custom.”

21 SEC. 5. Section 10 (a) (1) of such Act is amended
22 by inserting “Chapter 171 of” immediately before “28
23 U. S. C.”

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84TH CONGRESS
2D SESSION

S. 3851

Document No. _____
Review of this document by CIA has
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☒ This has no objection to release
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☐ It contains nothing of CIA interest
Date 30 APR 1987 _____

IN THE SENATE OF THE UNITED STATES

MAY 15 (legislative day, MAY 7), 1956

Mr. RUSSELL (for himself and Mr. SALTONSTALL) (by request) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To amend the Central Intelligence Agency Act of 1949, as amended, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 SECTION 1. Section 3 of the Act entitled the Central
4 Intelligence Agency Act of 1949, approved June 20, 1949,
5 as amended (63 Stat. 208, 50 U. S. C. ^{1103c} (403a)) (hereinafter
6 referred to as "such Act"), is amended to read as follows:

7 "(a) In the performance of its functions, the Central
8 Intelligence Agency is authorized to exercise the authorities
9 contained in sections 2 (c), 5, 6, 7, and 10 of the Armed

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nt Act of 1947, approved February 19,
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 (62 Stat. 21, 41 U. S. C. 151):

s of the Agency for services and use of
 ch or development may be for a term
 years, and may be extended for an addi-

6 tional period not to exceed five years, subject to the avail-
 7 ability of appropriations therefor.

8 “(c) For purposes of this section, the term ‘agency head’
 9 shall mean the Director and Deputy Director of Central
 10 Intelligence and the Deputy Directors of the Agency.”

11 SEC. 2. Section 5 of such Act is amended to read as
 12 follows:

13 “SEC. 5. (a) Under such regulations as the Director
 14 may prescribe, the Agency, with respect to its officers and
 15 employees assigned abroad, may—

16 “(1) pay the travel expenses of officers and em-
 17 ployees of the Agency including expenses incurred while
 18 traveling pursuant to orders issued by the Director in
 19 accordance with the provisions of section 5 (c) with
 20 regard to the granting of home leave;

21 “(2) pay the travel expenses of members of the
 22 family of an officer or employee of the Agency when
 23 proceeding to or returning from his post of duty, accom-
 24 panying him on authorized home leave, or otherwise

1 traveling in accordance with authority granted pursuant
2 to the terms of this or any other Act;

3 “(3) pay the cost of transporting the furniture and
4 household and personal effects of an officer or employee
5 of the Agency to his successive posts of duty and, on
6 the termination of his services, to his residence at time
7 of appointment or to a point not more distant or, upon
8 retirement, to the place where he will reside;

9 “(4) notwithstanding the provisions of any other
10 law, transport for or on behalf of an officer or employee
11 of the Agency, a privately owned automobile in any case
12 where it shall be determined that water, rail, or air
13 transportation of the automobile is necessary or ex-
14 pedient for any part or of all the distance between points
15 of origin and destination, and pay the costs of such
16 transportation;

17 “(5) pay the cost of storing the furniture and house-
18 hold and personal effects of an officer or employee of
19 the Agency who is absent under orders from his usual
20 post of duty; or who is assigned to a post to which he
21 cannot take or at which he is unable to use his furniture
22 and household and personal effects; or when such stor-
23 age would avoid the cost of transporting such effects from
24 one location to another;

25 “(6) pay the cost of storing the furniture and house-

1 hold and personal effects of an officer or employee of the
2 Agency on first arrival at a post for a period not in
3 excess of three months after such first arrival at such
4 post or until the establishment of residence quarters,
5 whichever shall be shorter;

6 “(7) pay the travel expenses and transportation
7 costs incident to the removal of the members of the fam-
8 ily of an officer or employee of the Agency and his furni-
9 ture and household and personal effects, including auto-
10 mobiles, from a post at which, because of the prevalence
11 of disturbed conditions, there is imminent danger to life
12 and property, and the return of such persons, furniture,
13 and effects to such post upon the cessation of such condi-
14 tions; or to such other post as may in the meantime have
15 become the post to which such officer or employee has
16 been assigned;

17 “(8) pay the travel expenses incurred by an officer
18 or employee of the Agency in transporting dependents
19 to and from United States ports of entry designated by
20 the Agency, to obtain an American secondary or col-
21 lege education, not to exceed one trip each way for
22 each dependent for the purpose of obtaining each type of
23 education;

24 “(9) pay the costs of preparing and transporting
25 the remains of an officer or employee of the Agency or

1 a member of his family who may die while in travel
2 status or abroad, to his home or official station, or to such
3 other place as the Director may determine to be the
4 appropriate place of interment: *Provided*, That in no
5 case shall the expense payable be greater than the
6 amount which would have been payable had the destina-
7 tion been the home or official station.

8 “(b) The Agency may charge expenses in connection
9 with travel of personnel, their dependents, and transporta-
10 tion of their household goods, personal effects, and automo-
11 biles to the appropriation for the fiscal year current when any
12 part of either the travel or transportation begins pursuant to
13 previously issued travel orders, notwithstanding the fact that
14 such travel or transportation may not all be effected during
15 such fiscal year, or the travel orders may have been issued
16 during the prior fiscal year.

17 “(c) (1) Under such regulations as the Director
18 may prescribe, the Agency may order to the continental
19 United States or its territories and possessions on leave of
20 absence as provided by law, every officer and employee of
21 the Agency, upon completion of two years continuous service
22 abroad, or as soon as possible thereafter.

23 “(2) While in the continental United States on leave,
24 the service of any officer or employee shall not be available

1 for work or duties except in the Agency or for training or
2 for reorientation for work; and the time of such work or
3 duty shall not be counted as leave.

4 “(3) Where an officer or employee on leave returns
5 to the United States or its territories and possessions, leave
6 of absence granted shall be exclusive of the time actually
7 and necessarily occupied in going to and from the United
8 States or its territories and possessions, and such time as
9 may be necessarily occupied in awaiting transportation.

10 “(4) The provisions of section 203 (f) of the Act
11 of October 30, 1951, as amended (65 Stat. 679, 5 U. S. C.
12 ²⁰⁶² (2061)), and as it may hereafter be amended, shall be ap-
13 plicable to officers and employees of the Agency, and such
14 officers and employees shall be subject to the limitations
15 as to the accumulation of leave applicable to officers and
16 employees in the Foreign Service of the United States under
17 the Department of State as provided in sections 203 (c)
18 and (d) of the Act of October 30, 1951, as amended (65
19 Stat. 679, 5 U. S. C. ²⁰⁶² (2061)), and as it may hereafter be
20 amended.

21 “(d) (1) In the event of illness, injury, or maternity
22 incurred while on assignment abroad, by an officer or full-
23 time employee of the Agency or by a member of the family
24 accompanying such officer or employee, not the result of
25 vicious habits, intemperance, or misconduct on the part of

1 such persons, in a locality where there does not exist a suit-
2 able medical facility, the Agency may, under such regula-
3 tions as the Director may prescribe, pay the travel expenses
4 of such officer or employee, or member of his family, by
5 whatever means are considered appropriate without regard
6 to the Standardized Government Travel Regulations and
7 section 10 of the Act of March 3, 1933, as amended (47
8 Stat. 1516; 5 U. S. C. 73b), to the nearest locality where
9 a suitable medical facility exists and on the recovery of such
10 individual pay for the travel expenses of return to the post
11 of duty of such officer or employee, or member of his family.
12 If such officer or employee, or member of his family, is too
13 ill to travel unattended, the Agency may also pay the
14 compensation and round trip travel expenses of an attendant
15 or attendants.

16 “(2) (A) The Director may, in the event of illness
17 or injury requiring hospitalization of an officer or employee
18 of the Agency, not the result of vicious habits, intemperance,
19 or misconduct on his part, incurred in the line of duty while
20 such person is assigned abroad, pay for the cost of the
21 treatment of such illness or injury at a suitable hospital or
22 clinic.

23 “(B) In the event a dependent of an officer or employee
24 of the Agency who is stationed abroad, incurs an illness or
25 injury while located abroad, which requires hospitalization

1 and which is not the result of vicious habits, intemperance,
2 or misconduct, the Agency may, in accordance with such
3 regulations as the Director may prescribe, pay for that
4 portion of the costs of treatment of each such illness or injury
5 at a suitable hospital or clinic that exceeds \$35 up to a
6 maximum limitation of one hundred and twenty days of
7 hospitalization for each such illness or injury, except that
8 such maximum limitation shall not apply whenever the Di-
9 rector, on the basis of professional medical advice, shall
10 determine that such illness or injury clearly is caused by the
11 fact that such dependent is or has been located abroad.

12 “(3) The Director may establish a first aid station and
13 provide for the services of a physician, a nurse, or other
14 medical personnel at a post at which, in his opinion, sufficient
15 personnel are employed to warrant such a station.

16 “(4) The Director may provide for the periodic physical
17 examination of officers and employees of the Agency and
18 their dependents and for the cost of administering inocula-
19 tions or vaccinations to such officers or employees and their
20 dependents.

21 “(e) In accordance with such regulations as the Director
22 may prescribe, the Agency may pay the costs of travel of
23 new appointees and their dependents, and the transportation
24 of their household goods and personal effects, from places of
25 actual residence in foreign countries at time of appointment

1 to places of employment and return to their actual residences
2 at the time of appointment or a point not more distant:
3 *Provided*, That such appointees agree in writing to remain
4 with the United States Government for a period of not less
5 than twelve months from the time of appointment. Violation
6 of such agreement for personal convenience of an employee
7 or because of separation for misconduct will bar such return
8 payments and, if determined by the Director or his designee
9 to be in the best interests of the United States, any money
10 expended by the United States on account of such travel
11 and transportation shall be considered as a debt due by the
12 individual concerned to the United States.

13 “(f) In accordance with such regulations as the Presi-
14 dent may prescribe, and notwithstanding the provisions of
15 section 1765 of the Revised Statutes (5 U. S. C. 70), the
16 Director is authorized to grant to any officer or employee of
17 the Agency—

18 “(1) allowances, whenever Government owned or
19 rented quarters are not available at a post abroad, for
20 living quarters, heat, light, water, fuel, gas, and elec-
21 tricity, including allowances for the cost of lodging at
22 temporary quarters, incurred by an officer or employee
23 of the Agency and the members of his family upon first
24 arrival at a new post, for a period not in excess of three
25 months after such first arrival or until the occupation of

1 residence quarters, whichever period shall be shorter,
2 up to but not in excess of the aggregate amount of the
3 per diem that would be allowable to such officer or
4 employee for himself and the members of his family for
5 such period if they were in travel status:

6 “(2) cost-of-living allowances whenever—

7 “(A) the cost of living at a post abroad is
8 proportionately so high that an allowance is nec-
9 essary to enable an officer or employee of the
10 Agency at such post to carry on his work efficiently;

11 “(B) extraordinary and necessary expenses
12 not otherwise compensated for are incurred by an
13 officer or employee of the Agency incident to the
14 establishment of his residence at any post of assign-
15 ment abroad or at a post of assignment in the con-
16 tinental United States between assignments to posts
17 abroad;

18 “(C) an allowance is necessary to assist an offi-
19 cer or employee of the Agency who is compelled by
20 reasons of dangerous, notably unhealthful, or exces-
21 sively adverse living conditions at his post abroad or
22 for the convenience of the Government to meet the
23 additional expense of maintaining his wife and minor
24 children elsewhere than at the post of his assign-
25 ment;

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1 “(D) extraordinary and necessary expenses,
2 not otherwise compensated for, must be incurred by
3 an officer or employee of the Agency, by reason of
4 his service abroad, in providing for adequate ele-
5 mentary and secondary education of his dependents;
6 allowances under this subparagraph for any post
7 shall not exceed the cost of obtaining such educa-
8 tional services as are ordinarily provided without
9 charge by the public schools of the United States
10 plus, in those cases where adequate schools are not
11 available at the post, board and room, and periodic
12 transportation between the post and the nearest lo-
13 cality where adequate schools are available; if any
14 such officer or employee employs a less expensive
15 method of providing such education, any allowance
16 paid to him shall be reduced accordingly; no allow-
17 ance shall be paid under this subparagraph for a
18 dependent for whom a travel allowance has been
19 paid under subsection 5 (a) (8) :

20 “(3) a foreign post differential or a territorial post
21 differential on the basis of conditions of environment
22 which differ substantially from conditions of environ-
23 ment in the continental United States and warrant addi-
24 tional compensation as a recruitment and retention in-
25 centive. Additional compensation paid as a foreign

1 post differential or territorial post differential shall not
2 in any instance exceed 25 per centum of the rate of
3 basic compensation.

4 “(g) Amounts received as allowances pursuant to the
5 provisions of section 5 (f) (1) and (2) of this Act shall
6 not be included in gross income, and shall be exempt from
7 taxation under the Internal Revenue Code of 1954, as
8 amended, and as it may hereafter be amended.”

9 SEC. 3. Section 6 (f) (1) of such Act is amended *P.L. 83*
10 by striking out “fifteen” and inserting in lieu thereof the *and Congress*
11 following: “thirty-five”.

12 SEC. 4. Section 6 of such Act is amended by the in-
13 sertion of a semicolon in lieu of the period at the end of
14 subsection (f) and by the addition of a new subsection (g)
15 which shall read as follows:

16 “(g) Make payments without regard to section 3648
17 of the Revised Statutes (31 U. S. C. 529), when made—

18 “(1) in compliance with the laws of foreign coun-
19 tries or their ministerial regulations, and

20 “(2) for rent in foreign countries for such period
21 as may be necessary to accord with local custom.”

22 SEC. 5. Section 10 (a) (1) of such Act is amended
23 by inserting “Chapter 171 of” immediately before “28
24 U. S. C.”

(63 Stat. 208; 50 U.S.C. 403a)
should be 50 U.S.C. 403c

403c. Procurement authority

- (a) In the performance of its functions the Central Intelligence Agency is authorized to exercise the authorities contained in sections 151(c) (1-6), (10), (12), (15), (17)-155 and 159 of Title 41.
- (b) In the exercise of the authorities granted in subsection (a) of this section, the term "Agency head" shall mean the Director, the Deputy Director, or the Executive of the Agency.
- (c) The determinations and decisions provided in subsection (a) of this section to be made by the Agency head may be made with respect to individual purchases and contracts or with respect to classes of purchases or contracts, and shall be final. Except as provided in subsection (d) of this section, the Agency head is authorized to delegate his powers provided in this section, including the making of such determinations and decisions, in his discretion and subject to his direction, to any other officer or officers or officials of the Agency.
- (d) The power of the Agency head to make the determinations or decisions specified in sections 151(c) (12), (15) and 154(a) of Title 41 shall not be delegable. Each determination or decision required by sections 151(c) (12), (15), 153, or 154(a) of Title 41, shall be based upon written findings made by the official making such determinations, which findings shall be final and shall be available within the Agency for a period of at least six years following the date of the determination. June 20, 1949, c. 227, § 3, 63 Stat. 208.

(62 Stat. 21; 41 U.S.C. 151)
should be 62 Stat. 21, 23, 24, 25;
41 U.S.C. 151, 154, 155, 156, 159

STATINTL

151c. Advertising requirements; exception of certain purchases and contracts from requirements

(c) All purchases and contracts for supplies and services shall be made by advertising, as provided in section 152 of this title, except that such purchases and contracts may be negotiated by the agency head without advertising if--

- (1) determined to be necessary in the public interest during the period of a national emergency declared by the President or by the Congress;
- (2) the public exigency will not admit of the delay incident to advertising;

(3) the appropriate emergency procedure is followed

Document No. _____
Review of this document by CIA has
determined that _____
CIA has no objection to discuss
it contains information of CIA
interest that must remain
classified at TS S
Authority: 62 Stat. 21-25
41 U.S.C. 151-159
Date 30 April 1961 Reviewer _____

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- (4) for personal or professional services;
- (5) for any service to be rendered by any university, college, or other educational institution;
- (6) the supplies or services are to be procured and used outside the limits of the United States and its possessions;
- (7) for medicines or medical supplies;
- (8) for supplies purchased for authorized resale;
- (9) for perishable subsistence supplies;
- (10) for supplies or services for which it is impracticable to secure competition;
- (11) the agency head determines that the purchase or contract is for experimental, developmental, or research work, or for the manufacture or furnishing of supplies for experimentation, development, research, or test: Provided, That beginning six months after the effective date of this chapter and at the end of each six-month period thereafter, there shall be furnished to the Congress a report setting forth the name of each contractor with whom a contract has been entered into pursuant to this subsection since the date of the last such report, the amount of the contract, and, with due consideration given to the national security, a description of the work required to be performed thereunder;
- (12) for supplies or services as to which the agency head determines that the character, ingredients, or components thereof are such that the purchase or contract should not be publicly disclosed;
- (13) for equipment which the agency head determines to be technical equipment, and as to which he determines that the procurement thereof without advertising is necessary in order to assure standardization of equipment and interchangeability of parts and that such standardization and interchangeability is necessary in the public interest;
- (14) for supplies of a technical or specialized nature requiring a substantial initial investment or an extended period of preparation for manufacture, as determined by the agency head, when he determines that advertising and competitive bidding may require duplication of investment or preparation already made, or will unduly delay procurement of such supplies;
- (15) for supplies or services as to which the agency head determines that the bid prices after advertising therefor are not reasonable or have not been independently arrived at in open competition: Provided, That no negotiated purchase or contract may be entered into under this paragraph after the rejection of all bids received unless (A) notification of the intention to negotiate and reasonable opportunity to negotiate shall have been given by the agency head to

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each responsible bidder, (B) the negotiated price is lower than the lowest rejected bid price of a responsible bidder, as determined by the agency head, and (C) such negotiated price is the lowest negotiated price offered by any responsible supplier;

(16) the agency head determines that it is in the interest of the national defense that any plant, mine, or facility or any producer, manufacturer, or other supplier be made or kept available for furnishing supplies or services in the event of a national emergency, or that the interest either of industrial mobilization in case of such an emergency, or of the national defense in maintaining active engineering, research and development, are otherwise subserved:

Provided, That beginning six months after the effective date of this chapter and at the end of each six-month period thereafter, there shall be furnished to the Congress a report setting forth the name of each contractor with whom a contract has been entered into pursuant to this subsection since the date of the last such report, the amount of the contract, and, with due consideration given to the national security, a description of the work required to be performed thereunder; or

(17) otherwise authorized by law.

41 U.S.C.

154 Advance payments under negotiated contracts; terms
(a) The agency head may make advance payments under negotiated contracts heretofore or hereafter executed in any amount not exceeding the contract price upon such terms as the parties shall agree: Provided, That advance payments shall be made only upon adequate security and if the agency head determines that provision for such advance payments is in the public interest or in the interest of the national defense and is necessary and appropriate in order to procure required supplies or services under the contract.
(b) The terms governing advance payments may include as security provision for, and upon inclusion of such provision there shall thereby be created, a lien in favor of the Government, paramount to all other liens, upon the supplies contracted for, upon the credit balance in any special account in which such payments may be deposited and upon such of the material and other property acquired for performance of the contract as the parties shall agree. Feb. 19, 1948, c. 65, 5,62 Stat. 24.

41 U.S.C.

155 Remission of liquidated damages

Whenever any contract made on behalf of the Government by the agency head or by officers authorized by him so to do includes a provision for liquidated damages for delay, the Comptroller General on the recommendation of the agency head is authorized and em-

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powered to remit the whole or any part of such damages as in his discretion may be just and equitable. Feb. 19, 1948
c. 65, Sec. 6, 62 Stat. 24.

41 U.S.C.

156 Determinations and decisions--(a) Powers of agency head;
finality; delegation

The determinations and decisions provided in this chapter to be made by the agency head may be made with respect to individual purchases and contracts or with respect to classes of purchases or contracts, and shall be final. Except as provided in subsection (b) of this section, the agency head is authorized to delegate his powers provided by this chapter, including the making of such determinations and decisions, in his discretion and subject to his direction, to any other officer or officers or officials of the agency.

(b) Non-delegable powers; delegation to chief procurement officer only.

The power of the agency head to make the determinations or decisions specified in paragraphs (12)-(16) of section 151 (c) of this title and in section 154 (a) of this title shall not be delegable, and the power to make the determinations or decisions specified in paragraph (11) of section 151 (c) of this title shall be delegable only to a chief officer responsible for procurement and only with respect to contracts which will not require the expenditure of more than \$25,000.

(c) Written decisions; finality; availability for six years; copy to General Accounting Office.

Each determination or decision required by paragraphs (11)-(15) or (16) of section 151 (c) of this title, by section 153 of this title or by section 154 (a) of this title shall be based upon written findings made by the official making such determination, which findings shall be final and shall be available within the agency for a period of at least six years following the date of the determination. A copy of the findings shall be submitted to the General Accounting Office with the contract.

(d) Preservation of data of negotiations.

In any case where any purchase or contract is negotiated pursuant to the provisions of section 151 (c) of this title, except in a case covered by paragraphs (2)-(5) or (6) of section 151 (c) of this title, the data with respect to the negotiation shall be preserved in the files of the agency for a period of six years following final payment on such contract. Feb. 19, 1948, c. 65 Sec. 7, 62 Stat. 24.

41 U.S.C.

159 Assignment and delegation of joint procurement responsibilities by agency head; limitations; allocation of appropriations.

In order to facilitate the procurement of supplies and services by each agency for others and the joint procurement of supplies and services required by such agencies, subject to the limitations' contained in section 156 of this title, each agency head may make such assignments and delegations of procurement responsibilities within his agency as he may deem necessary or desirable, and the agency heads or any of them by mutual agreement may make such assignments and delegations of procurement responsibilities from one agency to any other or to officers or civilian employees of any such agency, and may create such joint or combined offices to exercise such procurement responsibilities, as they may deem necessary or desirable. Appropriations available to any such agency shall be available for obligation for procurement as provided for in such appropriations by any other agency through administrative allotments in such amount as may be authorized by the head of the allotting agency without transfer of funds on the books of the Treasury Department. Disbursing officers of the allotting agency may make disbursements chargeable to such allotments upon vouchers certified by officers or civilian employees of the procuring agency.
Feb. 19, 1948, c. 65, Sec. 10, 62 Stat. 25.

(65 Stat. 679; 5 U.S.C. 2061) Sec. 203 (f)
should be 5 U.S.C. 2062

203f. Special leave provisions for Foreign Service personnel.

Officers and employees in the Foreign Service of the United States under the Department of State may be granted leave of absence, without regard to any other leave provided by this chapter, for use in the United States, its Territories or possessions, at a rate equivalent to one week for each four months of service outside the several States and the District of Columbia. Such leave may be accumulated for future use without regard to the limitation in subsection (c) of this section but no such leave which is not used shall be made the basis for any terminal leave or lump-sum payment.

(65 Stat. 679; 5 U.S.C. 2061) Sec. 203 (c) and (d)
should be 5 U.S.C. 2062

203c. Accumulation of unused leave; maximum.

The annual leave provided for in this section, which is not used by an officer or employee, shall accumulate for use in succeeding years until it totals not to exceed thirty days at the beginning of the

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first complete biweekly pay period, or corresponding period in the case of an officer or employee who is not paid on the basis of bi-weekly pay periods, occurring in any year.

- 205d. Persons excepted from maximum accumulated leave under subsection (c); maximum

Notwithstanding the provisions of subsection (c) of this section, a maximum accumulation not to exceed forty-five days at the beginning of the first complete biweekly pay period, or corresponding period in the case of an officer or employee who is not paid on the basis of biweekly pay periods, in any year is authorized to the following categories of employees of the Federal Government, other than officers and employees in the Foreign Service of the United States under the Department of State, stationed outside the several States and the District of Columbia:

(1) Persons directly recruited or transferred from the United States by the Federal Government.

(2) Persons employed locally but (A) who were originally recruited from the United States and have been in substantially continuous employment by other Federal agencies, United States firms, interests, or organizations, international organizations in which the United States Government participates, or foreign governments, and whose conditions of employment provide for their return transportation to the United States, or (B) who were at the time of employment temporarily absent from the United States for purposes of travel or formal study and maintained residence in the United States during such temporary absence.

(3) Persons who are not normally residents of the area concerned and who are discharged from the military service of the United States to accept employment with an agency of the Federal Government.

(47 Stat. 1516; 5 U.S.C. 73 b)

- 73b. Traveling expenses limited to lowest first-class rate

Whenever by or under authority of law actual expenses for transportation may be allowed, such allowances shall not exceed the lowest first-class rate by the transportation facility used in such transportation unless it is certified, in accordance with regulations prescribed by the President, that lowest first-class accommodations are not available or that use of a compartment or such other accommodations as may be authorized or approved by the head of the agency concerned or such subordinates as he may designate, is required for purposes of security. Mar. 3, 1933, c. 212, Title II, § 10, 47 Stat. 1516, as amended Aug. 2, 1946, c. 744, § 6, 60 Stat. 808.

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Act Aug. 2, 1946, cited to text, made section applicable to expense of transportation rather than travel, and added provisions permitting greater allowance in certain instances.

Short title. Section as a part of the Administrative Expenses Act of 1946, see Short Title note under section 73b--1 of this title.

Repeal. Insofar as the provisions of this section relating to subsistence may conflict with those of sections 821-823, and 827-833 of this title, they were repealed by section 829 of this title.

Gross References. Traveling expenses on inter-island steamships in Hawaii is limited to lowest first-class rate on transPacific steamships, see section 73e of this title.

73b. Traveling expenses limited to lowest first-class rate

Delegation of Functions. For delegation of functions, vested in the President by this section, to the Director of the Bureau of the Budget, see section 1(a) of Ex.Ord.No.10530, May 11, 1954; 19 F.R.2709, set out as a note under section 301 of Title 3, The President.

Officer or employee of the Government who, in the interest of the Government, is transferred from one official station to another, including transfer from one department to another, for permanent duty, shall, except as otherwise provided in this section, when authorized or approved by such subordinate official or officials of the department concerned as the head thereof may designate for the purpose, be allowed and paid from Government funds the expenses of travel of himself and the expenses of transportation of his immediate family (or a commutation thereof in accordance with section 73a of this title) and the expenses of transportation, packing, crating, temporary storage, drayage, and unpacking of his household goods and personal effects (not to exceed seven thousand pounds if uncrated or eight thousand seven hundred and fifty pounds if crated or the equivalent thereof when transportation charges are based on cubic measurement): Provided, That advances of funds may be made to the officer or employee in accordance with said regulations under the same safeguards as are required under section 828 of this title: Provided further, That the allowances herein authorized shall not be applicable to officers and employees transferred in accordance with the provisions of the Foreign Service Act of 1946: Provided further, That no part of such expenses (including those of officers and employees of the Foreign Service, Department of State) shall be allowed or paid from Government funds where the transfer is made primarily for the convenience or benefit of the officer or employee or at his request: Provided further, That in case of transfer from one department to another such expenses shall be payable from the funds of the department to which the officer or employee is transferred: And provided further, That expenses of travel and transportation in connection with the transfer of officers and employees to posts of duty outside the continental limits of the United States and return therefrom shall be allowed to the same extent

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and subject to the same limitations prescribed for new appointments under section 73b--3 of this title. As amended Sept. 23, 1950, c. 1010, § 1, 64 Stat. 835.

References in Text. Sections 73a and 828 of this title, referred to in the text, were repealed by Act June 9, 1949, c. 185, § 9(a), 63 Stat 167, and are now covered by sections 837 and 838, respectively, of this title.

Delegation of Functions. For delegation of functions, vested in the President by subsections (a) and (b) of this section, to the Director of the Bureau of the Budget, see section 1(b) of Ex.Ord.No.10530, May 11, 1954, 19 F.R.2709, set out as a note under section 301 of Title 3, The President.

73b-2. Travel expenses of consultants or experts; transportation of persons serving without compensation

Persons in the Government service employed intermittently as consultants or experts and receiving compensation on a per diem when actually employed basis may be allowed travel expenses while away from their homes or regular places of business, including per diem in lieu of subsistence while at place of such employment, in accordance with the Standardized Government Travel Regulations, sections 73a, 821-823 and 827-833 of this title, and persons serving without compensation or at \$1 per annum may be allowed, while away from their homes or regular places of business, transportation in accordance with said regulations and section 73a of this title, and not to exceed \$15 per diem within the limits of the continental United States and beyond such limits, not to exceed the rates of per diem established by the Director of the Bureau of the Budget pursuant to section 836 of this title in lieu of subsistence on route and at place of such service or employment unless a higher rate is specifically provided in an appropriation or other Act: And provided further, That where due to the unusual circumstances of a travel assignment within the limits of the continental United States such maximum per diem allowance would be much less than the amount required to meet the actual and necessary expenses of the trip, the heads of departments and establishments may, in accordance with regulations promulgated by the Director, Bureau of the Budget, pursuant to section 840 of this title prescribe conditions under which reimbursement for such expenses may be authorized on an actual expense basis not to exceed a maximum amount to be specified in the travel authorization, but in any event not to exceed \$25 for each day in travel status. As amended July 28, 1955, c. 424, § 2, 69 Stat. 394.

1955 Amendment. Act July 28, 1955 amended section by increasing the per diem rate from \$10 per day to \$15 per day, by providing for payment of per diem beyond the limits of the continental United States, and by inserting the proviso clause authorizing payment of actual expenses of not more than \$25 per day.

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- 73b-3. Travel expenses of new appointees; transportation of household and personal effects; vacation travel expenses; prior return of family

Appropriations for the departments shall be available, in accordance with regulations prescribed by the President, for expenses of travel of new appointees, expenses of transportation of their immediate families and expenses of transportation of their household goods and personal effects from places of actual residence at time of appointment to places of employment outside continental United States, and for such expenses on return of employees from their post of duty outside continental United States to the places of their actual residence at time of assignment to duty outside the United States: Provided, That such expenses of travel and transportation to posts of duty outside the continental United States shall not be allowed unless and until the person selected for appointment shall agree in writing to remain in the Government service for twelve months following his appointment, unless separated for reasons beyond his control and acceptable to the department or agency concerned and in case of violation of such agreement any moneys expended by the United States on account of such travel and transportation shall be recoverable from the individual concerned as a debt due the United States: And provided further, That expenses of return travel and transportation upon separation from the service shall be allowed whether such separation is for the purposes of the Government or for personal convenience, but shall not be allowed unless such persons selected for appointment outside the continental United States shall have served for a minimum period of not less than one nor more than three years prescribed in advance by the head of the department or agency concerned or unless separation is for reasons beyond the control of the individual and acceptable to the department or agency concerned: Provided further, That expenses of round trip travel of employee and transportation of immediate family but excluding household effects, from their posts of duty outside the continental United States to the places of actual residence at time of appointment or transfer to such overseas posts of duty, shall be allowed in the case of persons who have satisfactorily completed an agreed period of service overseas and are returning to their actual place of residence for the purpose of taking leave prior to serving another tour of duty at the same or some other overseas post, under a new written agreement entered into before departing from the overseas post: Provided further, That expenses of transportation of the immediate family and shipment of household effects of any employee from the post of duty of such employee outside continental United States to place of actual residence shall be allowed, not in excess of one time, prior to the return of such employee to the United States, including its Territories and possessions, when the employee has acquired eligibility for such transportation or when the public interest requires the return of the immediate family for compelling personal reasons of a humanitarian or compassionate nature, such as may involve physical or mental health,* authority or circumstances over which the individual has no control; And provided further, That when an

* death of any member of the immediate family, or obligation imposed by

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employee returns his immediate family and household goods to the United States, including its Territories and possessions, at his own expense prior to his return and for other than reasons of public interest, the Government shall reimburse him for proper transportation expenses at such time as he acquires eligibility therefor. This section shall not apply to appropriations for the Foreign Service, State Department. As amended Aug. 31, 1954, U. 1155, 68 Stat. 1008.

1954 Amendment. Act Aug 31, 1954, amended section by adding third proviso to grant authority to pay travel expenses of employees and their families in connection with the taking of periodic leaves of absence in the United States, and by providing specific statutory authority for the return of the family and household effects prior to the return of the employee.

Delegation of Functions. For delegation of functions, vested in the President by this section, to the Director of the Bureau of the Budget, see section 1(c) of Ex.Ord.No.10530, May 11, 1954, 19 F.R. 2709, set out as a note under section 301 of Title 3, The President.

73b-5. Payment or reimbursement of general average contributions in connection with transportation of effects: exceptions

Under such regulations as the President may prescribe, appropriations chargeable for the transportation of baggage and household goods and effects of military personnel and civilian employees of departments or agencies of the Federal Government shall be available for the payment or reimbursement of general average contributions required in connection therewith: Provided, That no appropriation shall be available for the payment or reimbursement of general average contributions required in connection with and applicable to quantities of baggage and household goods and effects in excess of quantities authorized to be transported by law or regulation pursuant to law; nor shall any appropriations be so available in any case where the military person or civilian employee concerned (a) is allowed under any law or regulation pursuant to law a commutation in lieu of the actual transportation expenses or (b) has himself selected the means of shipment. June 4, 1954, c. 264, S 4, 68 Stat. 176.

Executive Order No. 10614
May 26, 1955, 20 F.R. 3699

Payment of General-Average Contributions in Connection with
Transportation of Effects

Section 1. Definitions. As used in these regulations:
(a) The term "military personnel" means members and former and deceased members of the uniformed services as defined in section 102 of the Career Compensation Act of 1949 (63 Stat. 804) (section 231 of Title 37).

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- (b) The term "civilian employees" means civilian officers and employees of a department, including Foreign Service personnel, and former and deceased civilian officers and employees.
- (c) The terms "military personnel" and "civilian employees" shall also include those individuals enumerated under the term "person" as defined in section 1 of the Missing Persons Act, as amended (section 1001 of Title 50 Appendix).
- (d) The term "department" means an executive department, independent establishment, or other agency of the Federal Government, including wholly-owned or controlled Government corporations.
- (e) The term "general-average contribution" means the contribution by all parties to a sea venture (1) to make good the loss sustained by any one of their number on account of voluntary sacrifices made of part of the ship or cargo to save the residue or the lives of those on board from impending peril, or (2) for extraordinary expenses necessarily incurred for the common benefit and safety of all.
- (f) The term "household goods" means such baggage, household goods, and effects, including privately-owned automobiles and professional books, papers, and equipment, of military personnel and civilian employees as are authorized to be transported at Government expense by law or regulation pursuant to law.

Section 2. Allowance of general-average contributions. Whenever military personnel or civilian employees of a department are liable for general-average contributions arising out of shipments of household goods (as defined in section 1 (f) hereof), authorized or approved under law or regulations pursuant to law, disbursements shall be made, under rules and regulations prescribed by the head of the department concerned, from appropriations chargeable for the transportation of baggage and household goods and effects (a) for the payment of the general-average contributions for which such military personnel or civilian employees are liable, or (b) for the reimbursement of such military personnel or civilian employees in the amounts of their general-average liability paid by them and for which receipts are furnished, subject to the limitations set forth in section 3 hereof.

Section 3. Limitations. The provisions of section 2 hereof shall not apply:

- (a) In case the shipment of household goods is made under law or regulation pursuant to law which provides for reimbursement to the military person or civilian employee concerned on a commuted basis in lieu of payment by the Government of the actual costs of the shipment; or
- (b) In case the military person or civilian employee concerned has himself selected the means of shipment; or

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(c) To quantities of household goods (excluding automobiles) shipped in excess of quantities authorized to be transported by law or regulation pursuant to law. In any case of such excess shipment, the liability of the Government for the employee's general-average contribution shall not exceed the proportion that the applicable limitation, by weight or volume, bears to the total quantity, by weight or volume, of the household goods shipped.

Section 4. Effective date. This order shall be effective in any case in which the loss involved occurs or has occurred, on or after June 4, 1954.

Dwight D. Eisenhower

R.S. 1765; 5 U.S.C. 70

70. Extra allowances. No officer in any branch of the public service, or any other person whose salary, pay, or emoluments are fixed by law or regulations, shall receive any additional pay, extra allowance, or compensation, in any form whatever, for the disbursement of public money, or for any other service or duty whatever, unless the same is authorized by law, and the appropriation therefor explicitly states that it is for such additional pay, extra allowance, or compensation. (R. S. S 1765.)

R.S. 3648; 31 U.S.C. 529

529. Advances of public moneys; prohibition against

No advance of public money shall be made in any case unless authorized by the appropriation concerned or other law. And in all cases of contracts for the performance of any service, or the delivery of articles of any description, for the use of the United States, payment shall not exceed the value of the service rendered, or of the articles delivered previously to such payment. It shall, however, be lawful, under the special direction of the President, to make such advances to the disbursing officers of the Government as may be necessary to the faithful and prompt discharge of their respective duties, and to the fulfillment of the public engagements. The President may also direct such advances as he may deem necessary and proper, to persons in the military and naval service employed on distant stations, where the discharge of the pay and emoluments to which they may be entitled cannot be regularly effected.

R.S. S 3648; Aug. 2, 1946, c. 744, S 11, 60 Stat. 809.

Chapter 171

28 U.S.C. 2671-2680

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Chapter 171
28 U.S.C. 2671-2680

Tort Claims Procedure

Sec. 2671 - Definitions

Sec. 2672 - Administrative adjustment of claims of \$1,000 or less.

Sec. 2673 - Reports to Congress

Sec. 2674 - Liability of United States

Sec. 2675 - Disposition by federal agency as prerequisite;
evidence

Sec. 2676 - Judgment as bar

Sec. 2677 - Compromise

Sec. 2678 - Attorney fees; penalty

Sec. 2679 - Exclusiveness of remedy

Sec. 2680 - Exceptions